

#344

WASHINGTON AND THE REVOLUTION

LINCOLN AND THE REBELLION

Fourth of July Oration Delivered by

GEN. N. P. CHIPMAN

Presiding Justice of the District Court of Appeal, Third District of
California, on the Fourth of July, 1906, at

AUBURN, CAL.

[Reprinted from the Placer County Republican, July 5, 1906]

Mr. President, Fellow Citizens: There are two momentous epochs in American history inseparably associated in our minds on the fourth day of July. During each of these history-making periods there came forth a great leader of men, both of whose names will be cherished by all liberty-loving people so long as the world shall stand. It is of these men and these periods I am to address you today. I am to speak briefly of Washington and the Revolution—of Lincoln and the Rebellion.

WASHINGTON AND THE REVOLUTION.

I will not attempt the portrayal of the life and character of George Washington. At this remote distance from the time when he was a living and powerful force in the great political movements in which he bore so noble and so conspicuous a part, our interest is awakened more by the events which culminated in our Country's independence, and less by the personal characteristics of the men by whom that profound result was achieved.

Washington's place in history is secure. Eulogium has been exhausted in depicting the sublimity of his character

and in the effort to adequately measure the debt of gratitude which he placed upon the American people by his great services to his country. While yet living his canonization had begun, and before he died he had received from the people of his time the exalted title of "Father of His Country."

Born in 1732, he had lived forty years and had been more or less active in the service of the State, before his contemporaries regarded him as an uncommonly endowed man. Like Lincoln he developed the high qualities of greatness which distinguished him under the influence of the tremendous and increasing responsibilities cast upon him. Whether we contemplate him as a soldier, statesman or citizen, his life stands out before us forming a harmonious blending of lofty purpose, unflinching patriotism and sagacious judgment unparalleled in the annals of history. With this brief reference to the personality of Washington let us for a moment recall some of the significant events in which he bore himself so nobly and which resulted in the founding of a nation that to-day stands foremost among the great powers of the earth.

To the thoughtful and patriotic citizen

this day must suggest the marvelous fact that, although many centuries were required to bring to their present state of advancement the States of the old world, in but little more than a single century, out of thirteen disintegrated and sparsely settled Colonies, lying along the Atlantic coast, there has arisen a powerful nation of 47 States and 3 territories, aggregating nearly eighty millions of souls, occupying on this continent one-fifteenth of the landed surface of the globe.

And Mr. President, not less marvelous is the further fact that this vast aggregation of human beings has been welded into one harmonious government, in every essential element absolutely free, and into one homogeneous people possessing all the attributes of a high and enlightened civilization.

May we not then, with some profit to ourselves devote a few minutes to a brief retrospect of the rise of the Great Republic?

The Declaration of Independence, which has been read to you to-day, was a pronouncement to the world in justification of withdrawing allegiance from the Mother Country. Many of the grievances catalogued in that masterly production would have been borne uncomplainingly if England had yielded to her loyal subjects the principle of representation as a correlative of taxation, and the right to regulate their local concerns, as was afterwards given to the Colonies of Great Britain.

It must be remembered that a Congress of all the Colonies had never been called together until in 1774. For ten or twelve preceding years the Colonies were struggling against the increasingly repressive measures, which were being forced upon them by the Mother Country, but ever protesting and maintaining loyal allegiance to the King, and with no purpose of concerted rebellion or of declaring their independence.

But the insistence for local self-government increased in proportion as the oppression heaped upon the Colonies became more unjust and cruel. And, when Boston Harbor was closed by Act of Parliament, the cry went forth throughout the length and breadth of the land—"The cause of Boston is the cause of us all." A Congress of all the Colonies was called to meet at Philadelphia, September 5th, 1774, to secure

their common liberties if possible by peaceful means.

To this Congress George Washington was sent as a delegate from Virginia, and became its President. Its remonstrances and appeals to the Mother Country displayed the loftiest patriotism and the highest abilities. Lord Chatham, speaking from his seat in the British Parliament, declared that "though he had studied and admired the free states of antiquity, the master spirits of the world, yet for solidity of reasoning, force of sagacity, and wisdom of conclusions, no body of men could stand in preference to this Congress."

War had not yet come. The Colonists were yet loyal to Great Britain. No thought of establishing a free and independent nation had to this time entered the hearts of the people.

This Congress remained in session until October 1774 and adjourned to meet May 10th, 1775, with no purpose of rebellion. The answer sent to the Colonies by Great Britain was borne by an army of ten thousand troops and on April 19th, 1775, the battle of Lexington was fought and upon the assembling of the Congress in May, Washington was chosen Commander-in-Chief of the Colonial forces. But even yet independence was not declared nor was it made the condition of any demand upon the Mother Country. In May, 1776, Washington wrote from the head of the army in New York: "A reconciliation with Great Britain is impossible * * * When I took command of the army I abhorred the idea of independence, but I am now fully satisfied that nothing else will save us." Most of the Colonies had instructed their delegates to vote for independence and, on July fourth, 1776, the immortal Declaration was proclaimed to the world.

I must not detain you by a recital of the suffering and heroism displayed by Washington and his faithful army in the ensuing unequal struggle of seven long years. A grateful people will continue in the future as it has in the past, to assemble on this natal day to commemorate the birth of free government in the world, and to offer their tribute of love and gratitude to the noble army of patriots who pledged to their country and to the glorious cause of American Independence, their lives, their fortunes and their sacred honor.

Yorktown surrendered October 19th, 1781, and the War of the Revolution closed amid profound rejoicings throughout the Colonies and, on September 3rd, 1783, a treaty of peace was concluded and the independence of the United States was acknowledged by foreign powers. Thus terminated most happily for this country and for mankind the most important period in the history of the Republic.

But, Mr. President, the great, if not the greater, work of establishing a government upon a firm and enduring foundation, was yet to be accomplished.

The Colonies were as yet held together by the Articles of Confederation, which, although a great war had been successfully carried on under them, were fundamentally defective as a foundation for a strong and powerful people.

The States, or Colonies, in Congress assembled, had no authority to regulate commerce with foreign nations or among each other; no power to declare war except with the assent of nine States; nor had Congress authority to execute with the machinery of the government any of the powers delegated to the Congress. When not in session the affairs of the nation were committed, under greatly restricted powers, to what was called a "Committee of the States," to consist of one delegate from each State. Congress could only recommend to the States the necessary action to carry out the purposes of the Union. The States alone could act upon their own citizens even to the power to tax for the purposes of the Federal Union. Any member of the Union could withdraw at pleasure, and refuse to act with or be bound by the wishes of any or all others. As a government it was "a rope of sand."

And now, my friends, we have reached another but not less important period in American history. The depths of patriotic devotion were sounded, and the strongest appeals were made to the Colonies to yield greater powers to the central government, and confer upon it the essential requisites of self-defense and self-support. The Colonies, it must be remembered, had but just broken away from one central power and they held out with a jealous tenacity against a stronger Union, overlooking the fundamental difference between a concession to Great Britain as the central power, and a concession to a body or Congress

composed of their own representatives. It was four years after the treaty of peace and seven years after the surrender of Cornwallis, at Yorktown, before the Colonies, with reluctance, could be induced to consider, by concerted action, the necessity for a stronger central government.

Washington wrote in 1786: "I do not conceive that we can exist long as a nation, without lodging somewhere a power which will pervade the whole Union in as energetic a manner, as the authority of the State governments extends over the several States."

On the 4th day of July, 1787, a convention assembled at Philadelphia of which George Washington was chosen as President, and out of its deliberations, after four months of deliberation, emerged the American Constitution, declared by Mr. Gladstone to be "the most wonderful work ever struck off at a given time by the brain and purposes of man!"

Nowhere does the far-seeing statesmanship of the Father of his Country shine out as it does at this crucial epoch of our history—the formative period when, as Washington himself declared, "Success in establishing a more perfect Union was of equal consequence with success of our armies in the field."

My fellow citizens: The American Union is not the sudden result of a successful war, or the impulsive and spontaneous formation of a government to meet some unexpected emergency. It is the result of political evolution perfected by processes of profoundest reasoning, and by the loftiest and most devoted patriotism.

All honor and praise to the early fathers who led the people out of the seductive influences and the captivating sophistries that seemed at times almost to overwhelm every effort to secure, by a strong central government, a more perfect Union.

In our rejoicings on this auspicious Jay let us pause for a moment and bless the memories of those great and good men whose unselfish patriotism made us a nation.

LINCOLN AND THE REBELLION.

Mr. President: We are next to pass for brief review, to the second great epoch in the history of the United States

—to the period of Lincoln and the Rebellion.

I shall speak of Lincoln the man, and Lincoln the President rather than of the incidents and issues of the Civil War. And yet it was through the great responsibilities cast upon him in conducting the affairs of the nation during that sanguinary struggle, and in meeting the issues as they arose, that the greatness of his character and the almost God-like attributes of his great soul were developed.

Marvelous as is the priceless heritage of the American Constitution, handed down to their posterity by the Fathers of the Republic, yet in one fundamental feature it embodied a fatal denial of the foundation principle of the Declaration of Independence—that all men are created free and equal and are endowed with the inalienable right to life, liberty and the pursuit of happiness. The relation of the Colonies to each other and the existence of human slavery in some of them compelled the recognition of that baleful institution before the Colonies would consent to any form of centralized government. We must not now judge too harshly this action of the founders of the Constitution. With the light they then had they are not to be condemned from the view point of their descendants a century later. Nevertheless the legalization of slavery soon began to develop its corroding influence which increased with the years and finally, beyond any question, became the proximate cause of rebellion and the Civil War of 1861.

There also came down, from an early period in our history to our countrymen of 1861, the dangerous and fundamentally erroneous political heresy, that the Union established by the Constitution was but a federation of States, from which any one of them might withdraw at its own pleasure, and for any cause of its own making. This view of the Union and of the Constitution was confined almost entirely to the slave-holding States and was fostered and inculcated as a menace to those who would interfere with the institution of slavery, and, at the same time, was adhered to as a means of perpetuating slavery by secession from the Union should the necessity ever arise. The Constitution of the Southern Confederacy declared in terms that—the owners of slaves should have

the right to take them into any State or Territory of the Confederacy and hold them as property.

It is necessary, my friends, that this situation should be understood in rightly comprehending the enormous weight of responsibility placed upon Mr. Lincoln, and in arriving at any just estimate, not only of his marvelous gifts and the sublimity of his character, but also of the incalculable value of his services to his country and to mankind.

It was given to Lincoln to strike the shackles from the millions held in bondage under the aegis of our Constitution, and to blaze out the pathway for the American people to permanently remove, by amendment of that sacred instrument, every semblance of protection to, or justification for human slavery in this broad land.

More than this—it was given to Abraham Lincoln by the force of his matchless powers and methods of reasoning, and by the results of the great war which he conducted to ultimate victory, to forever eradicate from the minds and hearts of all our people that fatal and destructive heresy that a State may, upon any pretense, sever its relations with the Union.

It was given to Lincoln to bring to the American nation the full realization of that noble sentiment of Daniel Webster expressed in his celebrated reply to the nullification speech of Robert Y. Hayne, of South Carolina, seventy-five years ago: "Liberty and Union, now and forever, one and inseparable."

Abraham Lincoln was born in the State of Kentucky on February 12th, 1809, less than ten years after the death of Washington.

We may realize in some degree how brief has been the interval of time in the course of which the struggling infant Colonies have developed into one of the most powerful nations of the globe, if we reflect that many of the revolutionary fathers were still living when Lincoln was born, and that there were several hundred thousands of Union soldiers still living who responded to his call in 1861 and 1862. So rapid have been the strides of the Great Republic that men are living to-day who were born before all the patriots of the Revolution had gone to their last reward.

The simple story of Lincoln's early

life is best told in his own language. In 1859, one year before he became the Republican candidate for the Presidency, he condensed in a short statement some of the facts. Let me quote briefly: "My father, at the death of his father, was but six years of age, and he grew up literally without an education. He moved from Kentucky to what is now Spencer County, Indiana, in my eighth year. We reached our new home about the time the State came into the Union. It was a wild region, with many bears and other wild animals still in the woods. There I grew up. There were some schools, so-called, but no qualification was ever required of a teacher beyond readin', writin' and cipherin' to the rule of three. There was absolutely nothing to excite ambition for education. Of course when I came of age I did not know much. Still, somehow, I could read, write and cipher to the rule of three, but that was all. The little advance I now (1859) have upon this store of education I have picked up from time to time under the pressure of necessity."

He removed to Illinois when twenty-one years of age; when twenty-five he was elected to the legislature and served one term in the lower House of Congress. I quote again from his narrative: "From 1849 to 1854, both inclusive, I practiced law more assiduously than ever before. Always a Whig in politics, and generally on the Whig electoral tickets, making active canvasses. I was losing interest in politics when the repeal of the Missouri Compromise aroused me again. What I have done since is pretty well known."

How characteristic this simple, modest story. It was written by him after he had conducted that history making debate with Stephen A. Douglas, and after the name of Lincoln was on the lips of thousands all over the states of the north. It was through this famous intellectual combat with Senator Douglas, and by means of the speeches afterward delivered by Lincoln in Independence Hall, Philadelphia; in Cooper's Institute, New York; and in Faneuil Hall, Boston, that the public mind became focalized on this comparatively unknown yet wonderful man. At one great bound he had, unconsciously, leaped to the front as a presidential possibility and, almost before he was aware of the surging tide that was to carry him into the White

House, he became the candidate of the newly born Republican party.

I was a spectator of that splendid and inspiring scene, when it seemed as if the pent-up protests and accumulated remonstrances of long years against Southern aggression and arrogance broke forth in unrestrained and unrestrainable manifestations, and rang out in a burst of defiance—at once a clarion note prophetic of war, and the death knell of human slavery in America. It was a scene of wild rejoicing, and unflinching consecration to an exalted purpose. The annunciation of the Nation's Savior was proclaimed at that hour. The Solid South repudiated the Messiah, but the Loyal North made him President and crowned him with immortality.

The interval between his election and his inauguration witnessed active preparations for war among the Southern States; our army was scattered along the frontier and in the south, far removed from the Capital by a disloyal Secretary of War. Southern fortresses, arsenals and their munitions of war were permitted to fall into the possession of the rebels. All the arts of southern orators were invoked to convince the people of their right to secede from the Union and to convince them that the election of Mr. Lincoln meant the abolition of slavery and was therefore a just cause for Southern independence. The capital of the nation swarmed with secessionists; treasonable utterances were common on the streets and even in the Halls of Congress; three of President Buchanan's cabinet were openly disloyal, and a fourth—his Attorney General—advised him that there was no power in the government to coerce a State and by force to resist its withdrawal from the Union. Into this treason polluted atmosphere, amid these depressing surroundings; into this awful shadow of rebellion hanging over the Nation's Capital, this modest son of the Republic came upon a mission that was to cost him his life; that was to drench our land in fratricidal blood; but was to witness a Nation new born.

In his inaugural address Mr. Lincoln firmly, but in the most kindly spirit, showed in a most luminous and unanswerable argument that "no State could lawfully get out of the Union," as he repressed it, and that he would do all in his power to enforce the laws in every

State of the Union. His almost pathetic plea for peace moved to profoundest depths the listening throng who hung upon his matchless address. The concluding paragraph, considering the circumstances surrounding him, will ever stand as one of the most remarkable perorations ever delivered by man. He said: "I am loath to close. We are not enemies but friends. We must not be enemies. Though passions may have strained, it must not break our bonds of affection. The mystic cord of memory, stretching from every battle-field and patriot grave to every hearth-stone all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature."

As prophecy this pathetic appeal reads to us now as a vision of light from the battlements of heaven, though its realization came after long bloody years of war, such as is not recorded in all the years of modern history.

Within five days after Mr. Lincoln had made this appeal to his countrymen, the Rebel Congress passed a bill for the organization of an army. Commissioners were sent to Washington to negotiate a treaty with the government, but Lincoln refused to see them.

These Commissioners remained in Washington undisturbed until in April and as yet Mr. Lincoln had given no sign as to what course he would pursue in the face of open rebellion. He was determined that the first overt act of war should come from the Rebels. It came when he undertook to relieve Major Anderson and his gallant company at Fort Sumter. On April 12th, General Beauregard opened fire; war was declared by the South and on April 15th, the President called for seventy-five thousand troops, and more than five hundred thousand sprang to arms in response to the call. The loyal people of the whole country were aroused as never before since the days of Lexington and Bunker Hill. Party ties for the time at the north disappeared; party animosities were swept aside and forgotten in the universal cry "The Union must and shall be preserved." Congress was convened to meet July 4th and in his message to that body when it assembled the President showed by the undisputed course and logic of events, that war had come through no act of the

North and through no act of the administration, but solely through the overt acts of the South, and on the single issue that they had the right to withdraw from the Union for any cause which to them might seem sufficient. Of this issue Mr. Lincoln said in his message to Congress: "It presents to the whole family of man the question whether a Constitutional Republic or Democracy—a government of the people by the same people—can or cannot maintain its territorial integrity against domestic foes. It presents the question whether discontented individuals can always, upon the pretenses made in this case, * * or arbitrarily, without any pretense, break up the government, and thus practically put an end to free government upon the earth. It forces us to ask, 'Is there in all Republics this inherent and fatal weakness? Must a government, of necessity, be too strong for the liberties of its own people, or too weak to maintain its own existence?'"

My friends, we now begin to see the mental grasp with which Mr. Lincoln seized upon the stupendous issue and how clear and powerful was his manner of stating it and the consequences that were to flow from its recognition. He had a way all his own, characteristic of his written and spoken speeches and messages, of leading the mind to the conclusion he sought to enforce by a plain and simple statement in the form of an epigram or an interrogatory.

Thus, at the very threshold of the awful and bloody struggle which ensued, it was made plain to the South and to all the world that the President called the citizens of the Republic to arms for the sole purpose of preserving the Union.

Over and over again he declared that he had not, even as a remote object, or as a consequence of coercing the South by force of arms, the intention of liberating the slaves. In the summer of 1862 Horace Greeley published an open letter to the President demanding on behalf of the people of the North that he proclaim immediate emancipation. The reply of Mr. Lincoln bears the unmistakable characteristics of his frankness and simplicity and of his wonderfully lucid form of expression. Speaking of his policy he replied to Mr. Greeley: "I have not intended to leave anyone in doubt. I would save the Union, I would save it in the shortest way under the

Constitution * * * If there be those who would not save the Union unless they could at the same time save slavery, I do not agree with them. If there be those who would not save the Union unless they could at the same time destroy slavery, I do not agree with them. My paramount object is to save the Union, and not either to save or destroy slavery. If I could save the Union without freeing any slaves, I would do it; if I could save it by freeing all the slaves, I would do it; and if I could do it by freeing some and leaving others alone, I would also do that. What I do about slavery and the colored race, I do because I believe it helps to save this Union; and what I forbear, I forbear because I do not believe it would help to save the Union. * * I have here stated my purpose according to my views of official duty, and I intend no modification of my oft-expressed wish that all men everywhere could be free."

It is not in the power of human language to state a purpose more clearly. And yet the crowding events of the great drama of war in which he was the chief actor, compelled him in the following September, as a means of saving the Union, to issue the proclamation of freedom that has made his name revered as the greatest benefactor of mankind.

I cannot, my friends, hope to hold your attention in an attempt to portray the trials and struggles and responsibilities which our great President was compelled to meet and overcome. If he had not possessed the Herculean physical strength and the marvelous mental powers with which God had endowed him in a most remarkable degree, he never could have survived the awful strain of those four years, from 1861 to 1865; he never could have guided our ship of State through the most tempestuous waters that ever threatened the integrity and life of any civilized nation on the Globe. When Mr. Lincoln was called by the voice of a grateful people to preside over the destinies of the nation for a second term, the black pall of war had hovered over our country for four years but was rapidly passing away and the fury of rebellion was fast subsiding into hopeless regrets and heart burnings. His inaugural address was brief but a most graphic picture of the situation of the country as compared with its condition

in 1861. This speech has been said to have taken its place among the most famous of all written or spoken compositions in the English language. In parts it has been compared with the lofty portions of the Old Testament. It exhibited, among other of its remarkable features, the deep religious spirit that pervaded the soul of Lincoln. It was in the closing paragraph that we find that oft-quoted passage exhibiting the great heart of Lincoln—"With malice towards none, with charity for all, with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations."

It was decreed that from that day he was to be given less than five weeks to realize this solemnly expressed hope. But he lived to witness the crowning glory of his administration—the overthrow of rebellion, the re-establishment of the Union, and the extirpation of slavery forever from our fair land.

Mr. Lincoln, throughout all this dramatic period, seemed to bear upon his own shoulders and in his own heart, all the woes of his people. I was on duty in the War Department from the winter of 1862-1863, to the close of the war. It was my high privilege to know him and meet him personally and in his official capacity. It is among the most precious memories of my life to have performed some services to my country directly under his eye and by his personal instruction. I saw him many, many times when undergoing the tremendous strain which the trying vicissitudes of official duty were bowing him down almost to the breaking point. But amid it all he stood the one determined, hopeful, courageous figure; never doubting, never flinching, never hesitating but suffering as no man can know how it is to suffer.

I stood by his side at Gettysburg when he delivered that marvellously beautiful tribute to the noble dead who lay at his feet. I heard him when with clear and almost angelic voice he turned his care-furrowed face towards the sky and uttered those immortal lines, speaking as one inspired, and as

though in the very presence of the throne of God.

I saw him, too, when the Rebel hosts had laid down their hostile arms; when the glad tidings of peace were proclaimed from every housetop and all the land was filled with rejoicings; but even yet peace had not come to him.

The great problems of reconstruction, the labor of bringing two great warring regions into harmonious relations of peace and unity—of restoring the Union in the hearts of all the people, were upon him. For the moment he was overjoyed, for the moment his mind and soul were relaxed, but only for a moment.

It was a dreadful hour when the assassin struck down this hero of heroes. The blow was given in the name of the rebellion, but it was a blow that even rebellion disowned and indignantly repudiated, for it was a blow portentous of evil to the South.

My fellow citizens, I have endeavored, in the brief time given me, to bring before your conception something like an adequate picture of the man Lincoln as I saw him and knew him and as history has pronounced judgment upon him. I cannot delay you with incidents in his life, so full of dramatic interest.

The conspicuous and dominant traits of his character and mind, as I would analyze them, were: Sagacity, Firmness, Modesty, Patience, Magnanimity, Courage, Charity and Loyalty.

I could, if time permitted, bring to your attention many proofs that he possessed all these noble traits. But of all these, the crowning glory of this man's character, viewing him only in his relation to the great work before him, was his deep, intense and all-prevailing sentiment of loyalty to the union. The hope of liberty, of free government, of the down-trodden throughout the globe, rested upon this one tremendously vital issue. Happily for mankind it was solved in such manner as has made this nation a beacon-light pointing to the ultimate universal enfranchisement of the whole human race.

Let us then, my fellow citizens, with reverent spirit, on this our greatest holiday, thank God that through his guidance this nation has had a "new birth of freedom." Let us rejoice that through the wisdom and patriotic devotion of Abraham Lincoln and the loyal hosts who sustained him, it was decreed that "Government of the people, by the people, for the people, shall not perish from the earth."



S. P. Chipman